

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claim 1 has been amended to incorporate the features of claims 2 and 21, independent claim 7 has been amended to incorporate the features of claims 8 and 21, and independent claim 15 has been amended to incorporate the features of claims 16 and 21. And claims 2, 8, 16 and 21 have been canceled.

In addition, claim 6 has been amended to depend from claim 1 and claim 19 has been amended to better accord with claim 1.

Still further, claim 20 has been amended to make some clarifying amendments so as to overcome the rejection under 35 USC 112 and to better accord with amended claim 1.

It is respectfully submitted that the amendments to the claims involve combining the subject matter of claims which have already been considered by the Examiner, and/or are clarifying in nature only. Thus, it is respectfully submitted that no new issues have been raised which require further consideration on the merits and/or a new search, and it is respectfully requested that the amendments to the claims be approved and entered under 37 CFR 1.116.

THE PRIOR ART REJECTION

Claims 1-3, 6-9, 15-17 and 19-23 were rejected under 35 USC 103 as being obvious in view of the combination of JP 11-339446 ("Takahsi") and JP 10-191248 ("Aki et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 1, 7 and 15, an image sensing device, an image edit method, and an image edit program are provided whereby (i) at least one arbitrary time position in moving image data is designated, (ii) the at least one designated arbitrary time position is displayed in correspondence with a bar of the moving image data, (iii) a new photographing mode is shifted into when the at least one arbitrary time position has been designated, and (iv) at least one newly photographed image data is inserted at the at least one designated arbitrary time position in the moving image data, wherein the at least one newly photographed image data is obtained by at least one photographing operation in the new photographing mode, as at least one image data corresponding to the at least one designated arbitrary time position.

That is, according to the present invention as recited in amended independent claims 1, 7 and 15, at least one arbitrary time position is designated in advance, and then at least one

image data item respectively corresponding to the at least one arbitrary time position is/are obtained by sequentially performing photographing and then inserted.

By contrast, Takashi merely discloses a technique whereby reproduction is temporarily stopped at an arbitrary time position of moving image data, and image data at the time position is subjected to overwriting processing (see pages 18-19, paragraphs 141-148 of Takashi).

Aki et al, moreover, merely discloses a technique whereby a waveform of a voice is displayed, and a figure (hatching) indicating a displaying position according to a division candidate point is displayed to be superimposed on the waveform of the voice (see Fig. 1 of Aki et al). In addition, Aki et al discloses that moving image data recorded in advance is inserted instead of causing previous moving image data to be overwritten with it (see pages 7-8, paragraph 38 of Aki et al).

Thus, according to the present invention as recited in amended independent claims 1, 7 and 15, at least one arbitrary time position is designated in advance, whereas in Takashi the time position is designated each time overwriting processing is required, before the overwriting processing is performed.

In addition, according to the present invention as recited in amended independent claims 1, 7 and 15, after the at least one

arbitrary time position is designated, at least one image data item respectively corresponding to the at least one arbitrary time position is/are obtained by sequentially performing photographing and then inserted. By contrast, in Takahashi and Aki et al, designation of a time position and insertion of image data are repeatedly performed, and the image data to be inserted is moving image data recorded in advance.

Accordingly, it is respectfully submitted that even if the teachings of Takahashi and Aki et al were combinable in the manner suggested by the Examiner, the structure of the present invention as recited in amended independent claims 1, 7 and 15 would still not be achieved or rendered obvious.

It is therefore respectfully submitted that amended independent claims 1, 7 and 15, as well as claims 3, 9, 17, 19, 20, 22 and 23 respectively depending therefrom, all clearly patentably distinguish over Takahashi and Aki et al, taken singly or in combination, under 35 USC 103.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
DH:jd:jkr